

PATENT

Application Serial No. 09/841,282  
Amendment dated January 20, 2004  
Reply to Office Action of August 26, 2003  
Docket No. 1232-4709

### **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Status of the Claims**

Claims 1-7, 9-13 and 15-18 are pending in this application. Claim 1 is independent. Claims 1, 2, 4, 6, 7, 9, 10, 13, 17 and 18 are rejected. Claims 3-5, 11, 12, 15 and 16 are objected to as being dependent upon a rejected base claim, but indicated as allowable if rewritten in independent form. By this Amendment, claims 1, 4, 5, 11 and 15 are amended. Claims 3, 9, 13 and 17 are cancelled without prejudice or disclaimer. New claims 19-25 are added. No new matter has been added by this Amendment.

#### **Rejection under 35 U.S.C. §102**

Claims 1, 2, 6, 9 and 13 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,438,282 to Takeda et al. ("Takeda").

As indicated above, claim 13 has been cancelled by this Amendment rendering the rejection directed to this claim moot.

While Applicant disagrees with the Examiner's reasoning in rejecting the claims over Takeda, claim 1 has been amended for further clarification to expedite prosecution. In particular, claim 1 has been amended to add the limitation of allowed claim 3, i.e., wherein the plurality of elements are respectively provided with the piezoelectric element where the polarities of electric fields of which are alternately different from each other.

Accordingly, Applicant believes that claim 1 as amended is allowable over the art of

record.

Reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §102(e) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

**Allowable Subject Matter**

Claims 3-5, 11, 12, 15 and 16 are objected to as being dependent upon a rejected base claim, but indicated as allowable if rewritten in independent form.

As indicated above, claim 3 has been cancelled rendering the objection directed to this claim moot. Claim 5 has been rewritten in independent form incorporating all of the limitations of the base claim (i.e., claim 1). For other objected claims (i.e., claims 4, 11, 12, 15 and 16), Applicant respectfully submits that, as the independent claim 1 from which the objected to claims depend is hereby placed in condition for allowance, these claims as pending or as amended are thereby also placed in condition for allowance. Withdrawal of the objection is respectfully requested.

**New Claims**

Claims 19-25 have been added to recite the claimed invention in an alternative manner. Specifically, added claims 19-24 depend from claim 5, and claim 25 depends from claim 1. Claims 19-25 are accordingly believed to be allowable for at least similar reasons to claims 1 and

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5.

Applicant believes that the application including the added claims is in condition for allowance and such action is respectfully requested.

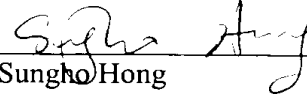
**AUTHORIZATION**

A petition for a two-month extension of time along with the associated fee is enclosed, extending the date for responding until January 26, 2004. Should an additional extension of time be required to render this paper timely filed, such extension is hereby petitioned and the Commissioner is authorized to charge any other fees necessitated by this Amendment, or credit any overpayment to our Deposit Account No. 13-4500 (Order No. 1232-4709). **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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Dated: January 20, 2004

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